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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,133	01/23/2001	Ritsuko Nagao	SEL 236	3327

7590 11/19/2003  
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EXAMINER

PHAM, THANH V

ART UNIT PAPER NUMBER

2823

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/768,133	NAGAO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thanh V Pham	2823	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 12, 14, 16, 18, 20, 22, 24, 26, 28 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |                                                                                              |                                                                             |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/05/03 has been entered.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 09/05/03 was filed after the mailing date of the Final Rejection on 07/02/03. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner and *as mailed with the Advisory Action on 10/03/03*.

### ***Response to Arguments***

3. Applicant's arguments filed 09/05/03 have been fully considered but they are not persuasive. Firstly, in the argument on a siloxane structure and an EL layer, the applicants wrongfully point to page 21, lns 14-15 wherein there is no advantage stated. Secondly, applicants argue that the cited references do not disclose or suggest forming a first and a second leveling film containing a siloxane structure; applicants are directed

to Chen's col. 6, lns 25-34 wherein "a second spin-on-glass layer 42 is now formed over the first spin-on-glass layer 40 essentially planarizing the dielectric layer and completing the process. This second spin-on-glass layer 42 is formed by also using the liquid precursor of the siloxane type similar in composition to the material used for the first spin-on-glass layer 40, but in this second coating the spin-on-glass is dispensed at a significantly higher spin speed and at a constant speed. The same series of spin-on-glass is used for both layers".

**Response to Amendment**

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art in combination with Chen U.S. Patent No. 5,453,406.

The applicant's admitted prior art for the TFT formation to form a display device having pixel electrodes and an insulative layer over the pixel electrodes is similar to the instant invention, having use of an organic material where a low dielectric property is considered (the instant specification, page 2, second paragraph) but lacking the second leveling layer over the insulative layer (instant invention's specification page 7).

The Chen reference discloses a method for producing a planar surface (col. 2, lines 64-67) wherein the thickness of a first leveling film 40 (2,000-3,000 Angstroms, col. 6, lines 1-10) formed above a wiring 34 is thinner than that of a second leveling film 42

(4,000-6,000 Angstroms, col. 6, line 53-54) formed on the first leveling film. Both first and second leveling films are formed by spin coating and by the same material (col. 6, line 30). The method could be used to coat a display device (MPEP 2111.02).

In Chen's fig. 7, a second spin-on-glass layer 42 is formed over the first spin-on-glass layer 40 essentially planarizing the dielectric layer and completing the process. This second spin-on-glass layer 42 is formed by also using the liquid precursor of the siloxane type similar in composition to the material used for the first spin-on-glass layer 40, but in this second coating the spin-on-glass is dispensed at a significantly higher spin speed and at a constant speed. The same series of spin-on-glass is used for both layers.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of applicant's admitted prior art and the Chen's method and material with siloxane structure, to enable formation of the insulative layer of the applicant's admitted prior art process using the process of Chen and furthermore to achieve increased planarity over the formed TFT.

Choice of thickness of the leveling layers would depend on many other factors such as the gap between the protruded elements or the height of the protruded element and would be obtained by routine experimentation, MPEP 2144.05.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the appropriate thickness such as the thickness in the ranges as claimed into the process of Chen as the thickness would be selected in accordance with the surface planarization art as taught by Chen.

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh V. Pham whose telephone number is 703-308-2543. The examiner can normally be reached on M-T (6:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on 703-306-2794. The fax phone number for the organization where this application or proceeding is assigned is 703-308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

WP  
TvP  
11/10/03

  
George Fourson  
Primary Examiner